

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

AMERITAS LIFE INSURANCE CORP.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 1:23-cv-00236(GBW)
	:	
WILMINGTON SAVINGS FUND SOCIETY, FSB, SOLELY AS SECURITIES INTERMEDIARY,	:	JURY TRIAL DEMANDED
	:	
	:	
Defendant.	:	

**DECLARATION OF AARON M. RUBIN IN SUPPORT OF
MOTION TO MODIFY PRETRIAL DEADLINES IN JOINT SCHEDULING ORDER**

I, Aaron M. Rubin, declare as follows:

1. I am an attorney at Orrick, Herrington & Sutcliffe LLP, counsel for Defendant Wilmington Savings Fund Society, FSB, solely as Securities Intermediary (“Securities Intermediary”) in the above-captioned matter. I have personal knowledge of the facts set forth herein and, if called as a witness, I could and would competently testify thereto.
2. I respectfully submit this declaration in support of Defendant’s Motion to Modify Pretrial Deadlines in Joint Scheduling Order.
3. Attached as **Exhibit 1** is a true and correct copy of email communications from September 27, 2024 to October 4, 2024 between Joseph Kelleher, Richard Krebs, Joseph Jung, Brian D. Burack, and Aaron M. Rubin regarding outstanding discovery disputes and Securities Intermediary’s proposal to extend the pretrial deadlines.
4. Attached as **Exhibit 2** is a true and correct copy of email communications from September 17, 2024 to September 27, 2024 between Aaron M. Rubin and Brian D. Burack

regarding outstanding discovery disputes and Securities Intermediary's proposal to extend the pretrial deadlines.

5. Attached as **Exhibit 3** is a true and correct copy of the transcript of the deposition of Scott Foreman taken on August 21, 2024.

6. Attached as **Exhibit 4** is a true and correct copy of the transcript of the 30(b)(6) deposition of Ameritas Life Insurance Corp. ("Ameritas") and Rhonda Loosle taken on August 22, 2024.

7. Attached as **Exhibit 5** is a true and correct copy of Ameritas's Rule 26(a)(1) Initial Disclosures, dated July 27, 2023.

8. Attached as **Exhibit 6** is a true and correct copy of Ameritas's Responses and Objections to Securities Intermediary's First Set of Requests for the Production of Documents, dated September 8, 2023.

9. Attached as **Exhibit 7** is a true and correct copy of Ameritas's Amended Rule 26(a)(1) Initial Disclosures, dated September 21, 2023.

10. Attached as **Exhibit 8** is a true and correct copy of Ameritas's Responses and Objections to Securities Intermediary's First Set of Interrogatories, dated February 9, 2024.

11. Attached as **Exhibit 9** is a true and correct copy of an opinion letter dated October 20, 2010 from Cozen O'Connor P.C. ("Cozen") to the California Public Employees' Retirement System ("CalPERS") regarding Cozen's acting as special regulatory counsel to Ocean Gate Life Settlement Program, LP ("Ocean Gate") and Cozen's opinion concerning the laws of the State of Delaware, produced by Highland Capital Management, L.P. ("Highland") bearing Bates label numbers H-AMT019733 to H-AMT019752.

12. Attached as **Exhibit 10** is a true and correct copy of an opinion letter dated October 20, 2010 from Cozen to CalPERS regarding Cozen's acting as special regulatory counsel to Ocean Gate and Cozen's opinion concerning the laws of the State of New Jersey, produced by Highland bearing Bates label numbers H-AMT019754 to H-AMT019774.

13. Attached as **Exhibit 11** is a true and correct copy of email communications from May 20, 2024 to May 31, 2024 between Aaron M. Rubin, Kara E. Cheever, and Brian D. Burack regarding Securities Intermediary's May 2024 proposal to extend the pretrial deadlines.

14. Attached as **Exhibit 12** is a true and correct copy of Ameritas's Second Amended Rule 26(a)(1) Initial Disclosures, dated August 26, 2024.

15. Attached as **Exhibit 13** is a true and correct copy of the transcript of the 30(b)(6) deposition of Ameritas and David Voelker taken on September 24, 2024.

16. Attached as **Exhibit 14** is a true and correct copy of the transcript of the 30(b)(6) deposition of Ameritas and Scott Corbett taken on September 25, 2024.

17. Attached as **Exhibit 15** is a true and correct copy of the transcript of the 30(b)(6) deposition of Ameritas and Scott Farnen taken on October 1, 2024.

18. Attached as **Exhibit 16** is a true and correct copy of the rough transcript of the deposition of Kelly Halverson taken on October 2, 2024.

19. Attached as **Exhibit 17** is a true and correct copy of email communications from August 29, 2024 to September 6, 2024 between Aaron M. Rubin, Joseph Kelleher, Brian D. Burack, and Joseph Jung regarding Ameritas's Objections to the Special Master's D.I. 132 Order.

20. Attached as **Exhibit 18** is a true and correct copy of email communications from August 26, 2024 to September 22, 2024 between Joseph Jung, Ilya Schwartzburg, and Brian D. Burack regarding outstanding discovery disputes raised with Ameritas.

21. Attached as **Exhibit 19** is a true and correct copy of email communications from September 5, 2024 to September 24, 2024 between Aaron M. Rubin and Brian D. Burack regarding Securities Intermediary's subpoena to Cozen dated March 13, 2024 (D.I. 73).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed this 4th day of October 2024 at Irvine, California.

/s/ Aaron M. Rubin

Aaron M. Rubin